

REMARKS

A. The Section 103 Rejections

Claims 1, 4-9, 12-17 and 20-24 were rejected under 35 U.S.C. §103(a) based on the combination of Deshpande, U.S. Patent Publication No. 2005/00718881 (“Deshpande”), Tao et al., U.S. Patent No. 6,441, 832 (“Tao”) and an article authored by Schulzrinne et al (“Schulzrinne”). Applicants respectfully disagree and traverse these rejections for at least the following reasons.

Of the rejected claims, claims 1, 9 and 17 are independent claims. It is to these claims that Applicants now turn, it being understood that the remarks which follow apply equally to claims 4-8, 12-16 and 20-24 because these claims depend on claim 1, 9 or 17, respectively.

In the Office Action the Examiner acknowledges that Deshpande does not disclose the feature of a timing parameter operable to indicate when an RTSP message is to be activated by a network node. To make up for this deficiency the Examiner relies upon Schulzrinne.

Initially, Applicants note that the claims are directed at a “navigation message”. For example, the specification describes the message as being related to skipping “to a new clip” or switching “to a new playlist” (see page 14, lines 16-17).

Schulzrinne does not appear to disclose the use of an RTSP navigation message. Instead, Schulzrinne’s RTSP messages appear to be related to playback time periods, not time periods relating to navigating within a media clip. More particularly, Schulzrinne states that its messages indicate “what range of time is actually being played or recorded” (*see* page 53 of Schulzrinne).

Accordingly, the combination of Deshpande, Schulzrinne and Tao does not disclose or suggest the feature of a timing parameter operable to indicate when an RTSP navigation message is to be activated by a network node.

Continuing, the Examiner also acknowledges that the combination of Deshpande and Schulzrinne does not disclose a “depository of digital multimedia content is organized into a nested hierarchical arrangement having a plurality of levels” as in claims 1, 9 and 17. To make up for this deficiency the Examiner relies on Tao.

To begin with, the Applicants note that the claims are directed at “a depository of digital multimedia content that is organized into a nested hierarchical arrangement having a plurality of levels that correspond to respective media identifier dimensions of an RTSP multidimensional pointer”, not the generalized depository referred to by the Examiner.

In the Office Action the Examiner appears to take the position that Deshpande’s “indication of a requested playlist” is the same as the claimed multidimensional pointer. This is incorrect.

Though Examiners may interpret claims broadly, any such interpretation must be consistent with the specification. Interpreting Desphande's indication of a requested playlist as the claimed multidimensional pointer is inconsistent with the present specification, and, therefore, impermissible.

In the specification a "multi-dimensional pointer" is described on page 14, lines 20-21 of the specification as, for example, "a 3-tuple pointer parameter" that includes "an effective time...as a timing parameter".

In contrast, Desphande's requested playlist is unrelated to a 3-tuple pointer of any kind whatsoever, much less the claimed pointer. One of ordinary skill in the art would not interpret the claimed multi-dimensional pointer as being akin to Desphande's playlist request.

Nor does Tao appear to make up for the deficiency in Desphande.

Accordingly, Applicants submit that the subject matter of claims 1, 4-9, 12-17 and 20-24 would not have been obvious at the time the instant application was filed based on the combined disclosures of Desphande, Schulzrinne and Tao. Applicants respectfully request withdrawal of the pending rejections and allowance of claims 1, 4-9, 12-17 and 20-24.

Should there be any outstanding matters that need to be resolved in the present application the Examiner is respectfully requested to contact John E. Curtin at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3777 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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